

Remarks

The specification has been amended at paragraph 49 to make a minor editorial correction.

Claims 1-5, 7 and 14-18 are rejected under 35 U.S.C. § 102 or 35 U.S.C. § 103 as being unpatentable in view of reference patent 5,856,709 and reference publication US2004/0174125, taken alone or in combination. Claims 6 and 8-13 are indicated to be allowable if they were to be rewritten in independent form, including all of the limitations of the base claims and any intervening claims.

Applicants are cancelling claims 14-18, which are claims directed to the system for carrying out the method defined by method claims 1-13 and 19-25.

Claims 1 and 2 are amended to avoid the rejection based upon 35 U.S.C. § 102 or 35 U.S.C. § 103. Claim 1 has been amended so that it recites two method steps. Those steps comprise prioritizing the active state variables according to a predetermined schedule, and selecting two of those active state variables that are of higher priority than the others. These steps are neither described nor suggested by the cited references. Claim 7 is allowable for the same reason base claim 2 is allowable.

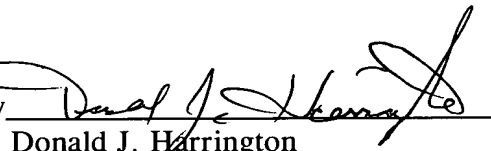
Claims 19-21 are new claims. These correspond to claims 6 and 8-13, respectively, which are indicated to be allowable. Claims 19-21 differ from claims 6 and 8-13, however, by replacing the expression for the engine state request using the variables in claims 6 and 8-13 by a generalized expression using those variables. It is respectfully submitted that claims 19-21 are allowable for the same reasons claims 6 and 8-13 are allowable. The cited references contain no teaching nor suggestion of an expression for the engine state requests regardless of the form of the expressions using the variables set forth in claims 6, 8 and 9.

New claims 22-25 are dependent claims that are allowable for the same reasons their respective base claims are allowable and because they recite added features of the method steps in those base claims.

It is respectfully requested that claims 1-5, 7 and 19-25 be grouped with the allowable claims 6 and 8-13 in view of the present amendment, and that the application be allowed to issue.

It is believed that no further fees have been incurred with the filing of this amendment. However, should a fee be required, please charge any additional fees or credit any overpayment to the deposit account of Ford Global Technologies, LLC, Deposit Account No. 06-1510.

Respectfully submitted,
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